

1 Brian Hennessy, State Bar No. 226721
2 BHennessy@perkinscoie.com
PERKINS COIE LLP
3 3150 Porter Drive
Palo Alto, CA 94304-1212
Telephone: 650.838.4300
4 Facsimile: 650.838.4350

5 Joseph Cutler, *pro hac vice application to follow*
JCutler@perkinscoie.com
6 PERKINS COIE LLP
1201 Third Avenue, Suite 4800
7 Seattle, WA 98101
Telephone: 206.359.8000
8 Facsimile: 206.359.9000

9 Attorneys for Plaintiff
FACEBOOK, INC.

10 Stephen N. Hollman, Esq., State Bar No. 55219
11 Business & Technology Law Group
12 160 W. Santa Clara Street, Suite 1050
13 San Jose, CA 95113
Telephone: (408) 282-1949
Facsimile: (408) 275-9930
E-Mail: srh@businessandtechnologylawgroup.com

15 Attorneys for Defendant,
Steven Richter

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

20 FACEBOOK, INC., a Delaware corporation.

Plaintiff.

v.

Steven Richter

Defendant

Case No. 5:10-cv-04710-LHK

**JOINT NOTICE OF INTENT TO SETTLE
AND [PROPOSED] ORDER**

1 Counsel for plaintiff, Facebook, Inc. (“Facebook”), and counsel for defendant, Steven
2 Richter (“Richter”), Richter together file this Joint Notice of Intent To Settle and [Proposed]
3 Order.

4 1. Between January 25, 2011 and the current date, Facebook and Richter have
5 exchanged settlement documents a portion of which are confidential and a portion of which will
6 be filed with the Court upon consummation of the final settlement.

7 2. The parties are under an obligation to file with the Court on February 2, 2011 a
8 Case Management Statement and to participate in a Case Management Conference currently
9 calendared for February 9, 2011 at 2:00 p.m.

10 3. Counsel for each party in this action represents to the Court that they believe their
11 clients are close to reaching a final settlement of all claims at issue in this action.

12 4. As counsel and the parties work to consummate the final settlement, they believe
13 that there should be no need for them to file a Joint Case Management Statement because they
14 each now believe that the final settlement can be fully consummated.

15 5. It was the recommendation of the Court’s Calendar Clerk and Courtroom Deputy
16 that the parties respectfully request that the Court continue to March 2, 2011 the Case
17 Management Conference so that the Court does not lose track of this action, and the parties now
18 so request that continuance from the Court in light of the intended settlement referenced above.

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

1 **IT IS SO STIPULATED.**

2 DATED this 2nd day of February, 2011.

3 **Perkins Coie LLP**

4
5 By: /s/ Brian Hennessy
6 Brian Hennessy
7 Attorneys for Plaintiff,
FACEBOOK, INC.

8 I, Brian Hennessy, hereby attest, pursuant to N.D. Cal. General Order No. 45, that the
concurrence to the filing of this document has been obtained from each signatory hereto.

9
10 **Business & Technology Law
Group**

11 By: /s/ Stephen N. Hollman
12 Stephen N. Hollman
13 Attorneys for Defendant,
STEVEN RICHTER

14
15 **PURSUANT TO STIPULATION OF THE PARTIES, AND THEIR RESPECTIVE
COUNSEL, IT IS HEREBY ORDERED AS FOLLOWS:**

16 1. Based upon the intended settlement of this action, the parties and their counsel are
17 relieved of the obligation to file with the Court on February 2, 2011 a Case Management
18 Statement.

19 2. In order for the Court to keep track of this action, the Case Management
20 Conference currently calendared for February 9, 2011 at 2:00 p.m. is continued to March 2, 2011
21 at 2:00 p.m.

22 3. In the event this action is not fully settled, the parties and their counsel are
23 directed to file a Joint Case Management Statement with the Court by February 23, 2011.

24
25 DATED this 3rd day of February 2011.

26 
27

28 HONORABLE LUCY H. KOH
United States District Judge